

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KEYWANIE S BRIDGEWATER,

Plaintiff,

v.

RESIDENT MANAGER
JOSEPHINUM; JASMINE HAMPTON;
NICK ANTONUCC; ALEXANDER
REA; BRUCE HARRELL;
DEPARTMENT OF CORRECTIONS,

Defendant.

CASE NO. 2:23-cv-01597

ORDER TO SHOW CAUSE

The Court raises this matter sua sponte.

On October 25, 2023, Plaintiff Keywanie S. Bridgewater filed the Complaint initiating this litigation. Dkt. No. 9. Since then, Bridgewater has submitted no proof to the Court that the Complaint has been served on Defendants. *See* Dkt. On December 13, 2023, this Court ordered the parties to submit a Joint Status Report by January 24, 2024. Dkt. No. 6. No such report was submitted. *See* Dkt. On April 2, 2024, this Court issued another Order requiring the parties to submit a Joint Status Report by May 14, 2024. Dkt. No. 7. Again, no such report was filed. *See* Dkt.

1 Under Rule 4(m) of the Federal Rules of Civil Procedure, a plaintiff must
2 serve defendants with a copy of the complaint and a signed, sealed copy of the
3 summons within 90 days of filing the complaint. Fed. R. Civ. P. 4(m). Absent good
4 cause, a district court may dismiss an action for a plaintiff's failure to meet this
5 requirement. *Id.* Additionally, under Rule 41(b), a district court may dismiss an action
6 for failure to prosecute or to comply with the Civil Rules or a court order. *See* Fed. R.
7 Civ. P. 41(b). The Court's power to dismiss an action for failure to prosecute "is
8 necessary in order to prevent undue delays in the disposition of pending cases and to
9 avoid congestion in the calendars of the district courts." *Australasia Charterers Ltd. v.*
10 *Worldwide Bulk Shipping Pte Ltd.*, No. C21-98 RSM, 2023 WL 7300966, at *1 (W.D.
11 Wash. Nov. 6, 2023) (citing *Link v. Wabash R. Co.*, 370 U.S. 626, 629-30, 82 S. Ct. 1386,
12 8 L. Ed. 2d 734 (1962)) (cleaned up); *see also Hells Canyon Pres. Council v. U.S. Forest*
13 *Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) (explaining that district courts may sua sponte
14 dismiss actions under Rule 41(b) for failure to comply with court orders and/or failure
15 to prosecute).

16 Bridgewater has failed to prove service as required by Rule 4. Likewise,
17 Bridgewater has failed to comply with the Court's Orders requiring submission of a
18 Joint Status Report. Absent good cause, these failures constitute grounds to dismiss
19 Bridgewater's claims.


20 Accordingly, Bridgewater must submit a short statement, not to exceed six
21 (6) pages, explaining why this case should not be dismissed for failure to effect
22 service of process and failure to prosecute. The Court ORDERS Bridgewater to file a
23 Response to this Order to Show Cause no later than thirty (30) days from the date

1 of this Order. Failure to file a response will result in dismissal of Bridgewater's
2 action.

3 The Clerk is directed to place this Order to Show Cause on the Court's
4 calendar for 30 days from the date of this Order.

5 It is so ORDERED.

6 Dated this 5th day of September, 2024.

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10 Jamal N. Whitehead
United States District Judge